

Guidelines to Permanent Memorandum 16 (PM-16) Protection of Minors Participating in University Programs

These guidelines provide a more in-depth explanation of the information and requirements found in the University's youth protection policy, Permanent Memorandum 16 (PM-16). The guidelines also include additional University requirements and relevant state law. The guidelines have been written and organized to facilitate the ease of finding specific information, as needed.

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I. OVERVIEW

A. Scope of Policy

The purpose of Permanent Memorandum 16 (PM-16) is to establish rules and procedures that minimize the risk of harm to Minors (children under age 18) participating in:

- Programs in which LSU assumes the supervision of minors, *wherever such programs occur, including virtually.*
- Programs not supervised, guided, or overseen by LSU, *but occurring on University property.*

Programs include but are not limited to:

- | | | |
|-----------------------------|-------------------------|-----------------------|
| ○ athletic sport camps | ○ academic camps | ○ field trips |
| ○ day camps | ○ mentoring programs | ○ conferences |
| ○ alumni weekend activities | ○ academic competitions | ○ research activities |
| ○ workshops | ○ 4-H programs | ○ campus tours |

*The rules and procedures outlined in PM-16 and included in these guidelines **must** be followed, unless a rule or procedure is waived, or an exception is made, by the Policy Administrator in writing. The University reserves the right to require particular programs to adopt higher standards than those established in PM-16. Campus Administrators and Program Administrators may also adopt more stringent requirements than those set forth in PM-16. In addition, LSU reserves the right to condition, restrict, or deny access to LSU facilities and premises by minors or groups with minors at its discretion.*

Proper adult supervision is crucial for protecting minors. Supervision of a minor in a youth program means for an adult to assume responsibility for the mental and physical safety and well-being of one or more minor; and,

in most instances, the supervising adult has control or oversight of the actions and activities of the minor(s).

Throughout the guidelines, the term “youth program” may refer to an LSU Supervised Program or a Non-LSU Program, either separately or both combined, based on the context used. The two types of programs are defined as follows:

LSU Supervised Program

An LSU Supervised Program is any program or activity **where LSU assumes the supervision of minors**, in which minors will be physically present and participating under the supervision of LSU employees or adults acting on LSU’s behalf, wherever such programs may occur, including virtually.

Non-LSU Program

A non-LSU program is a program in which minors will be physically present and participating using any LSU facilities, property, or areas controlled by LSU, **but** the program is not hosted, supervised, guided or provided program oversight by LSU.

A non-LSU program also includes any program or event held at or sponsored by University Lab Schools or Child Care Centers which are **not** official school activities and where minors are **not** supervised by their faculty or administrators. (i.e. youth programs operated by or the responsibility of others).

B. Key Administrators

The key administrators regarding PM-16 and youth programs are as follows:

Policy Administrator

The Policy Administrator is the LSU employee designated by the University as the central point of contact for all matters regarding this policy and serves as the conduit to keep University leadership informed on issues involving minors. Catherine Krane, the LSU A&M Assistant Vice President of the Office of Risk Management, is currently the designated Policy Administrator, with Ashley McGowan, Assistant Director as the point person.

Campus Administrator

The Campus Administrator is the LSU employee designated by the leadership of an LSU campus or institution as the responsible person to monitor compliance with this policy, and to notify University leadership (or designee) and the Policy Administrator of any violations of this policy. A campus must have a designated Campus Administrator if it operates or authorizes programs involving minor(s).

Program Administrator

The Program Administrator is the person responsible for coordinating, planning, implementing, supervising a youth program or programs and who shall be responsible for ensuring the requirements of this policy are met. LSU reserves the right to approve or reject, remove or replace any Program Administrator of an LSU Supervised Program or a Non-LSU Program at any time.

Program Coordinator

The Program Coordinator is the person responsible for the day-to-day coordinating, planning, and implementing of a specific youth program. The Program Coordinator reports to the Program Administrator. The Program Coordinator may be an LSU employee responsible for an LSU supervised program or a non-LSU employee responsible for a non-LSU program. The Program Coordinator shall be responsible for ensuring policy compliance for the specific program.

Depending on program's structures, there may be instances when a person assumes the responsibilities for more than one role, such as the Program Administrator may also be a Program Coordinator.

C. Key Adults Working in Youth Programs

Proper adult supervision is crucial for protecting minors. Supervision of a minor in a youth program means for an adult to assume responsibility for the mental and physical safety and well-being of one or more minor; and, in most instances, the supervising adult has control or oversight of the actions and activities of the minor(s).

In addition to the administrators, the key adults working in youth programs are the following:

Mandated Reporters

[Mandated or Mandatory Reporters](#) are those adults identified by State law as required to report known or suspected abuse or neglect of a minor. All adults working in an LSU supervised youth program or a Non-LSU youth program are Mandated Reporters. Additional information on Mandated Reporters can be found at: <http://www.dcf.louisiana.gov/page/556>.

Authorized Adult

An Authorized Adult is an adult, at least 18 years of age, responsible for supervising minors participating in a youth program. Anyone who will supervise one or more minor participating in a youth program must first be approved as an Authorized Adult. The approval process to become an Authorized Adult consists of completing the background check and training requirements of the University and a youth program.

Volunteers

A Volunteer is an adult who assists with an LSU program or non-LSU program without compensation. Volunteers are not employees of the youth program or the University (however, a volunteer may be a University employee who is volunteering outside the scope of their employment). All volunteers must adhere to applicable University policies. If a volunteer will be supervising minors, then the volunteer must first be approved as an Authorized Adult.

LSU Graduate or Undergraduate Students

LSU graduate or undergraduate students need to be approved as an Authorized Adult if they will be supervising minors. If, on the other hand, they will not be supervising minors and will be performing duties as assigned by and under the supervision of the program's Authorized Adult(s), then they do not need to become an Authorized Adult. Students must adhere to applicable University policies.

Adults without Supervisory Responsibility

The following persons are not required to become Authorized Adults: Individuals who are not made responsible for supervising minors, including but not limited to volunteers, parents/guardians, and program staff without supervisory responsibilities.

D. Exemption or Modification to Any PM-16 Policy Requirement

It is recognized that programs have unique missions, goals, and methods. Programs with a demonstrated need to deviate from one or more of the requirements contained in this policy must seek written approval from their Campus Administrator. If approved by the Campus Administrator, the request for waiver must be submitted to the Policy Administrator for review and approval or denial in writing. The Policy Administrator has the final authority on whether or not a request for an exception or modification is approved; and, if approved, what alternative measures, if any, must be implemented.

E. When PM-16 Does Not Apply

This policy does not apply to general public events where parents/guardians are expected to provide supervision of the minors in their custody, or to events where parents/guardians are required to accompany their children. Also, this policy does not apply to youth programs operated by University Laboratory Schools and Child Care Centers; these fall under different rules and regulations. Examples can be found in sections II-C and III-B-4.

II. REGISTRATION

All youth programs or activities **must be registered** with and approved by campus leadership or designee, which can be the Campus Administrator. Additionally, all programs or activities must be on file or registered with the Policy Administrator.

A. Registration of LSU Supervised Programs

All LSU Supervised Programs must be registered and obtain necessary approvals from the campus administration (via the Campus Administrator) prior to the first scheduled date of participation by minors.

LSU Supervised Programs include **any** activity organized by LSU or with LSU's supervision, oversight, guidance or sponsorship involving one or more minors where the minor will be supervised by an adult employed by or authorized to act on behalf of LSU. LSU Supervised Programs include instances when minors are to receive instruction or training or participate in a social, athletic or education activity on LSU property, under LSU's supervision or from an LSU employee acting on behalf of LSU.

Registration of LSU Supervised Programs must be accomplished in accordance with the submittal of appropriate information and forms provided by campus administration. All programs must maintain and enforce written age appropriate conduct standards for participants. Such standards must be provided as part of program registration and approved by the Campus Administrator.

B. Registration of Non-LSU Programs

All Non-LSU Programs must be registered and obtain necessary approvals from campus administration via the Campus Administrator and the Policy Administrator prior to the first scheduled date of participation by minors.

Non-LSU Programs requiring registration include:

- Instances when youth programs or activities make use of LSU facilities, properties, or areas owned or controlled by LSU;
- Instances in which the person supervising the minor(s) is hired or otherwise utilized under any

arrangement, whether paid, unpaid or volunteer, in whole or in part for that purpose by someone other than the University, the minor’s parent, guardian, or the parent’s designee;

- Instances in which the minors are to receive instruction or training, or participate in a social, athletic, or education activity on LSU property, as part of a youth program not supervised by LSU.

Insurance and Certificate of Insurance

Non-LSU Programs must provide a certificate of insurance when hosting a youth program using LSU’s facilities or grounds. The programs insurance must at minimum meet the requirements as outlined in LSU’s minimum insurance requirements. Limits are subject to change, but current required limits are listed below.

LSU’s minimum insurance requirements for youth programs for 2025

<u>Commercial General Liability</u>	
General Aggregate	\$2,000,000
Products/Completed Operations Aggregate	\$1,000,000
Each Occurrence Limit	\$1,000,000
Personal/Advertising Injury	\$1,000,000
Sexual Assault & Molestation Coverage	\$1,000,000
Damage to Rented Premises	\$50,000
Medical Payments (Any One Person)	\$5,000
Liquor Liability, if applicable	\$1,000,000
Automobile liability	A combined single limit of \$1,000,000
Workers’ Compensation	Statutory
Employers’ Liability	\$1,000,000

Contract for Non-LSU Programs

Non-LSU Programs will be required to sign a contract that commits the contractor to standard LSU requirements and adherence to relevant PM-16 requirements, including but not limited to:

1. Certain types and levels of insurance coverage
2. Facility use agreement with facility requirements or responsibilities
3. Indemnification requirements
4. Appropriate supervision of minors; supervisory practices
5. Appropriate training
6. Adult to minor ratios
7. Age appropriate conduct standards for participants
8. Adequate screening of supervising adults
9. Proof that a reasonable background check process is followed

C. When registration is NOT required

Registration as a youth program is not typically required for the following:

- Events or activities open to the general public when a parent, legal guardian, school teachers or other adult retains, or should be responsible for, the supervision of or the accompaniment of the minor(s). This includes those events or activities sponsored by the University that require admission with a ticket or pass including but not limited to sporting events, concerts, or theatrical productions (unless attendance by minors is as part of a youth program). It also includes simply sightseeing or otherwise on campus in areas that are open to the public, by persons or groups which may involve minors; and the persons or group are on campus as members of the public and not as part of a youth program.
- Academic programs involving minor participants who are enrolled or accepted for enrollment as a student at the University (these fall under different rules and regulations).
- Youth programs operated by University Laboratory Schools and Child Care Centers (these fall under different rules and regulations).

III. PROGRAM REQUIREMENTS

- A. General Guidelines
- B. Policies, Regulations, Safety, Protections
- C. Background Checks for Authorized Adults
- D. Training
- E. Adult Qualifications and Adult-to-Minor Ratios
- F. Adult Conduct
- G. Reporting
- H. Protection of Data
- I. Non-Compliance and Sanctions
- J. Cleary Act

A. General Guidelines

All LSU supervised programs or non-LSU programs operated on University property must adhere to the following guidelines:

1. For purposes of these guidelines, an Authorized Adult is an adult, at least 18, responsible for supervising minors participating in an LSU Supervised Program or a non-LSU program operating on University property and who has completed the policy requirements to be recognized as an Authorized Adult. All Authorized Adults must comply with all applicable background check and training requirements required by the University or youth program guidelines or policies.

2. Anyone who will supervise one or more minor participating in a youth program must first become an Authorized Adult. “Supervision” of a minor in this context means for an adult to assume responsibility for the mental and physical safety and well-being of one or more minor; and, in most instances, the adult has control or oversight of the actions and activities of the minor(s).
3. The Program Administrator is responsible for ensuring that each individual participating in the program as an Authorized Adult has:
 - a) Completed the required background check
 - b) Received the required training
 - c) Received clearance and approval to participate

“Clearance and approval” mean that the background check results are acceptable; that the training has been completed and verified; and that any other preliminary requirement or paperwork of the program has been completed.

For non-LSU programs, verification of the above can be requested or required by the Program Administrator or the Campus Administrator.

Program Coordinators and Program Administrators must become Authorized Adults.

The Campus Administrator will make any final determination on whether Authorized Adult requirements apply to a particular adult involved in a youth program.

4. A Volunteer is an adult who assists with an LSU program or non-LSU program without compensation. Volunteers are not employees of the program or University, but all volunteers should adhere to applicable University policies. If a volunteer will be supervising minors, then the volunteer must be an Authorized Adult. If, on the other hand, a volunteer will not be supervising minors and performs duties as assigned by and under the supervision of the program’s Authorized Adult(s), then they do not need to become an Authorized Adult. However, the Program Administrator or the Campus Administrator may require any volunteer to become an Authorized Adult, for any youth program or programs. A volunteer working in a youth program is still considered a mandatory reporter and as such must take the University’s required reporter training.
5. LSU graduate or undergraduate students need to be an approved Authorized Adult if supervising minors. If, on the other hand, they will not be supervising minors and perform duties as assigned by and under the supervision of the program’s Authorized Adult(s), then they do not need to become an Authorized Adult. However, the Program Administrator or the Campus Administrator may require undergraduate or graduate students to become an Authorized Adult, for any youth program or programs. LSU graduate or undergraduate students working in a youth program are still considered mandatory reporters and as such must take the University’s required reporter training.
6. The following persons are not required to become an Authorized Adult (with some exceptions): Individuals who are not responsible for supervising minors, including but not limited to volunteers, parents/guardians, and program staff without supervisory responsibilities. However, one-on-one direct interaction with a minor would constitute supervising a minor (except in instances where the one-on-one interaction is between a parent or legal guardian and their minor child).
7. A decision by the University to not permit an individual adult to participate in a program involving minors is at the sole discretion of the University. A request to reconsider such a decision may be made to the Program Administrator or Campus Administrator.

8. The conduct requirements described in this document apply to all persons/adults involved in a youth program.
9. A parent, legal guardian or other adult may not act as a supervisor or in an official capacity for a youth program, including having one-on-one contact with minors (other than his or her own child), during or through a youth program (including one in which his or her minor child participates), except in compliance with the requirements of this policy, including becoming an Authorized Adult.

B. Policies, Rules, Regulations, Safety, Protections

1. Minors in programs must always be reasonably supervised.
2. All minors shall be subject to all University and campus policies and regulations while participating or otherwise involved in the program; and may be required to leave the program due to non-compliance. Program Coordinators and Program Administrators and assigned Authorized Adults are responsible for ensuring that minors comply with all program rules, policies and regulations.
3. All persons participating in a youth program in any way must adhere to safety and other regulations addressing minors promulgated by campus law enforcement, health and safety, risk management, and other administrative offices.
4. For programs sponsored by LSU, but where supervision of minors will **not** be assumed by the University, the campus involved must provide adequate controls for the protection of minors subject to the approval of the Campus Administrator. Any question as to whether supervision of minors will be assumed by LSU shall be decided or resolved by the Policy Administrator.
5. University Policies that may be applicable to youth programs or regarding minors include, but may not be limited to, the following:

All Campuses

PM 32 Use of LSU Facilities and Premises
 PM 33 Drug Free Workplace
 PM 55 Equal Opportunity Policy

PM 73 Title IX and Sexual Misconduct Policy
 PM 79 Freedom of Speech and Expression
 PM 80 Prohibition of Hazing

LSU A&M Campus

PS 10 Internal and External Communications/Advertisements
 PS 19 Environmental Health & Safety
 PS 31 Digital Resources and Accessibility
 PS 60 Food Service Within LSU Facilities and Premises
 PS 63 Regarding Death of a Student or Employee
 PS 67 Misuse of Drugs and Alcohol
 PS 73 Sexual Harassment
 PS 75 Illegal or Abusive Use of Alcohol or Other Drugs by Students

PS 78 Serving, Possessing, and Consuming of Alcoholic Beverages
 PS 82 Use of LSU Facilities and Premises
 PS 83 Managing Communicable Diseases
 PS 88 Summer Youth Camps
 PS 95 Sexual Harassment of Students
 PS 96 Possession of Firearm and other Dangerous Weapons by LSU Employees within its Facilities and Premises
 PS 102 Violence Free Workplace
 PS 118 Tobacco Free Campus

C. Background Checks for Authorized Adults

1. A background check satisfactory to the University is required for each Program Coordinator, Program Administrator, and Authorized Adult prior to any direct participation with minors and at least once every three (3) years thereafter.

2. Procedures and standards for background checks and record-keeping will be set by the Policy

Administrator in consultation with Campus Administrators.

3. For LSU supervised programs, the Program Administrator or Campus Administrator will provide Authorized Adults with a background check.
4. All programs shall ensure that background checks are completed in accordance with all applicable Federal, State local laws, LSUFASOP: HR-04, and all other LSU policies
5. Background check requirements for adults working in non-LSU programs will be outlined in the contract.

D. Training

1. Each Authorized Adult and must have completed all training and certifications required by law and the University.
2. All adults who are involved with a youth program are considered Mandated Reporters under the Louisiana statute. This includes volunteers and LSU undergraduate or graduate students. Because they are designated Mandated Reporters, all adults working for a program, whether an Authorized Adult or not, must complete the University's required reporter training.
3. Authorized Adults shall be re-trained at least once every three years after their initial training. The Campus Administrator shall determine how and where documentation of training is to be maintained. Unless maintained centrally by the Campus Administrator, the Program Administrator(s) shall retain documentation that each Authorized Adult has completed the required training and shall produce written evidence of such training on request or demand.
4. Training requirements for adults working in non-LSU programs will be outlined in the contract between the program and the University or provided separately via the Program Administrator. For non-LSU programs, the Program Coordinator shall retain documentation that each Authorized Adult has completed the required training and shall produce written evidence of such training to the Program Administrator or Campus Administrator on request or demand.
5. The Campus Administrator may determine what additional training adults must have to work in youth programs. In addition, Program Administrators may require additional training for adults working in specific programs.

E. Adult Qualification and Adult-to-Minor Ratios

1. Each LSU Supervised Program is required to have a Program Administrator and an adequate number of designated Authorized Adults to supervise the participating Minors.
 - Programs with minors 10 years old and up: minimum of 1 Authorized Adult to thirty (30) minors (plus one or more other adult)
 - Programs with minors under the age of 10: minimum of 1 Authorized Adult to twenty (20) minors (plus one or more other adult)
2. It is recognized that unforeseen medical or mental health emergencies can arise that may make continuous supervision by an Authorized Adult difficult or impossible for short periods. Programs should plan for these eventualities to the extent possible and make reasonable efforts to minimize lapses in supervision.

F. Adult Conduct Requirements

All adults working in a youth program, whether as an employee, volunteer, or LSU undergraduate or graduate student, must be in compliance with the following conduct requirements:

Compliance and Reporting

1. Adults must adhere to safety and other regulations addressing minors promulgated by campus law enforcement, health and safety, risk management, and other administrative offices.
2. Adults shall assume responsibility for ensuring that minors comply with all University and youth program policies and regulations. All minors shall be subject to all University campus and program policies and regulations while participating or otherwise involved in the program and may be required to leave the program due to non-compliance. The Program Administrator or Program Coordinator should provide program rules, policies and regulations for minors participating in the youth program.
3. Adults shall follow requirements for reporting known or suspicions of minor abuse or neglect, any other crime, and policy violations. See applicable law and University reporting requirements reporting requirements in section III-G below.
4. Adults shall immediately report all prohibited or questionable conduct to the Program Coordinator and/or the Program Administrator and/or the Campus Administrator. See internal reporting requirements in section III-G below.
5. Adults should be aware of the potential consequences for non-compliance with reporting requirements, conduct requirements, or other policies or requirements; such consequences may include a warning, reprimand, probation, criminal prosecution, removal from a program or campus, program termination or sanctions. See Section I. Non-Compliance Consequences below for more details.

Overseeing Minors

1. Adults shall use reasonable efforts to have at least one Authorized Adult present to supervise minors participating in a youth program.
2. Adults shall NOT have one-on-one contact with minors except in emergency circumstances. A minimum of one Authorized Adult and at least one other adult shall remain in each other's presence while supervising a single minor (regardless of any parental or guardian consent, unless the minor's parent or guardian is also present).
3. Adults shall NOT pick up or drop off minors at their homes or other locations ensuring that no one-on-one contact exists, other than the driver's own child or children, unless the minor's parent or legal guardian is present in the vehicle or has provided specific written consent and at least two (2) adults are present and one is an Authorized Adult. This requirement is not meant to prohibit this activity by adults sharing a relationship established by blood, marriage, adoption, or foster care or person with whom the child resides.
4. Adults shall NOT participate in any overnight activity under the auspices of a youth program, unless 1) one of the minor's parents or guardians is present or 2) one of the minor's parents or guardians has given express written consent and two or more Authorized Adults are present. Any overnight activity which is part of a youth program shall comply with all requirements of the youth program's policy.

Protecting Minors

1. Adults shall NOT engage in or allow prohibited, abusive or illegal conduct or language of any kind toward or in the presence of a minor.

2. Adults shall NOT strike, hit, touch or administer corporal punishment to any Minor in an inappropriate or illegal manner.
3. Adults shall NOT make sexually suggestive or explicit remarks or gestures.
4. Adults shall NOT make sexually explicit materials in any form available to minors or assist them in any way in gaining access to any such sexually explicit materials. In addition, Adults should NOT have any such materials present during the time the adult will be working in a program or otherwise in the presence of minors.
5. Adults shall NOT communicate via email, text message, social media, or other written methods with minors at any time *except for official purpose*, where the communication is consistent with the mission of the program, is a group message, and the Program Administrator or another Authorized Adult is copied. (This requirement is not meant to prohibit communications between adults and minors sharing a relationship such as by blood, marriage, adoption or foster care.)
6. Adults shall NOT possess, distribute, use or be under the influence of alcohol or illegal drugs while supervising or in contact with minors. Adults should also NOT be taking any prescription or non-prescription medications that may impair the adult's ability to supervise minors.
7. Adults shall NOT possess weapons (except when necessary as part of the approved activities of an approved program). "Weapon" includes firearms (including but not limited to air pistols, BB guns, and paint guns), facsimile weapons, ammunition, explosives, fireworks, knives (excluding kitchen utensils), or other dangerous weapons.
8. Adults shall NOT provide or administer prescription drugs or any medication to any minor unless specifically authorized in writing by the parent or authorized guardian as being required for the minor's care and an Authorized Adult is present. However, in the event of an emergency, any responsible adult can assist or 911 should be called if situation warrants.
9. Adults shall protect all information collected by programs as confidential and not share or release except as necessary for the operation of the program or the health and safety of minors. Photographs and video should only be taken for program purposes by program personnel and with the express written consent of the minor's parent or authorized guardian.

G. Requirements for Reporting Prohibited Conduct or Criminal Activity

This section covers the requirements for reporting criminal activity and prohibited conduct, including:

1. Internal Reporting
2. Abuse or Neglect of a Minor
 - a. Reporting Essentials
 - b. Louisiana State Law on Reporting
 - c. Full Reporting Requirements
3. Reporting Crimes Other Than Abuse or Neglect of a Minor
4. Reporting Youth Programs Policy Violations
5. Self-Reporting

1. Internal Reporting Procedures

Each of the types of reporting described below includes the requirement to make an internal report

to one or more of the youth program administrators. It is important that each person working in a youth program know or find out from their program, the person or administrator to whom they need to report.

When warranted, internal LSU notification should sequence as follows:

- Reporter notifies the Program Coordinator
- Program Coordinator notifies the Program Administrator
- Program Administrator notifies the Campus Administrator
- Campus Administrator notifies the Policy Administrator and the sponsoring LSU department
- Policy Administrator is responsible for notifying all other pertinent parties

A note on confidentiality: Reports made to local law enforcement or the Department of Children and Family Services (DCFS) require the person reporting to provide details on the suspected criminal activity and the individuals involved. However, when making internal reports on suspicions of minor abuse/neglect or other crimes, it is important to maintain a certain level of confidentiality. Names of the alleged victim, alleged perpetrator and the reporter, along with details of the allegation should remain confidential. Local law enforcement and/or the DCFS will investigate to determine further actions needed.

2. Neglect or Abuse of a Child

2A. Reporting Essentials — Reporting Suspected Abuse or Neglect of a Minor

The protection of the minor is the primary concern. The reporting essentials described here are the most important reporting requirements to understand and follow. Suspicions of minor abuse or neglect should be reported immediately to both:

Dept of Children and Family Services (DCFS) hotline

1-855-4LA-KIDS (1-855-452-5437) toll-free, 24 hours a day, 365 days a year

and

Local Law Enforcement (campus, city, state)

Per the law, the person who witnesses or suspects minor abuse or neglect must be the one who reports and not someone else for the person. And, as with any emergency, if a minor is in immediate danger, call 911 first and then report as outlined below.

2B. Louisiana State Law (On Reporting Abuse or neglect of a Minor)

The Louisiana *Children's Code* is the law that governs reporting requirements when there is suspected abuse or neglect of a minor. Per the law, there should be no delays in reporting. Any uncertainty in deciding whether to report should be resolved in favor of making a good faith report. A person cannot transfer their legal responsibility to someone else, such as to a supervisor or administrator; the mandated reporter must do the reporting themselves.

When reporting in good faith, a person is immune under state law from personal or criminal liability. Conversely, a person can be fined, imprisoned or both for knowingly and willingly:

- Failing to report witnessed, known or suspected abuse or neglect of a minor
- Violating the provisions of the Children's Code
- Obstructing the procedures for receiving and investigating reports of minor abuse or neglect

- Reporting information regarding minor abuse or neglect known to be false

Two important definitions from the Children’s Code relevant to reporting are as follows:

Abuse of a Minor

- *Any act or an allowance of others to inflict or attempt to inflict an injury that seriously endangers the physical, mental, or emotional health and safety of the minor;*
- *The exploitation or overwork of a minor by a parent or any other person;*
- *The involvement of the minor in any sexual act with a parent or any other person;*
- *The aiding or toleration by the parent or the caretaker of the minor’s sexual involvement with any other person or of the minor’s involvement in pornographic displays;*
- *Or any other involvement of a minor in sexual activity constituting a crime.*

Neglect of a Minor

- *The refusal or unreasonable failure to supply the minor with necessary food, clothing, shelter, care, treatment or counseling for any injury, illness or condition;*
- *And, as a result of this neglect, the minor’s physical, mental, or emotional health and safety is substantially threatened or impaired.*

When reporting, the reporter will be asked for the following information, if known (it is required that the report be made even if some of the details are not known):

- The name, address, age, sex, and race of the minor;
- The nature, extent, and cause of the minor’s injuries or endangered condition;
- The name of the person(s) thought to be responsible for abusing or neglecting the minor;
- The name and address of the minor’s parent(s) or other caretaker;
- Reporters name and address;
- An account of how this minor came to the reporter’s attention;
- The cause of the minor’s injury or condition provided by the minor, the caretaker, or any other person.

Reporting Categories

The Children’s Code divides reporting crimes against minors into two main categories based on who the alleged perpetrator is, as follows:

Category One: Reports should be made to the Dept of Children and Family Services (DCFS) HOTLINE when the alleged perpetrator is a Parent, Caretaker, or a Significant Other of the parent or caretaker.

"Parent" is the natural or adoptive father or mother of the minor.

"Caretaker" is any person legally obligated to provide or secure adequate care for a minor, including a parent, tutor, guardian, legal custodian, foster home parent, an employee of a public or private day care center, an operator or employee of a registered family child day care home, or other person providing a residence for the minor.

"Significant Other" is a term not included in the law but that is used by the University to work as an abbreviated signifier to capture the full description provided in State law, which is: "A person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not."

Category Two: Reports should be made to LOCAL LAW ENFORCEMENT when the alleged perpetrator is SOMEONE ELSE other than the parent, caretaker, or a significant other of the parent or caretaker.

Examples of such perpetrators in this second category include: a neighbor, a stranger, an uncle or other relative, a friend of someone that lives in the same household, a tenant/landlord, a teacher, a sports coach, a babysitter, etc.

Dual Reporting to Both DCFS and Local Law Enforcement:

In order to be compliant with the State law, the reporter must report to the right place for the category of perpetrator, as described above. However, the protection of a minor is the primary concern. Therefore, if the relationship of the perpetrator to the minor is unknown or unclear, then the report should be made to both 1) the DCFS hotline and 2) Local Law Enforcement.

2C. Full Reporting Requirements (details on where to report abuse or neglect of a minor)

Whereas section 2A above described Louisiana State laws, this section provides details on both the legal and policy requirements to report to: The Department of Children and Family Services (DCFS), local law enforcement, and youth program administrators.

It is important to remember that if a minor is in immediate danger, a person should call 911 first and then report as outlined below.

Category One

Reporting suspected minor abuse or neglect by a PARENT, CARETAKER, or a SIGNIFICANT OTHER of the parent or caretaker.

Any adult must IMMEDIATELY REPORT suspected abuse or neglect of a minor by the minor's parent, caretaker, or a significant other of the parent or caretaker to the following:

- a. The Department of Children and Family Service Child Protection Hotline

1-855-4LA-KIDS (1-855-452-5437) toll-free, 24 hours a day, 365 days a year

Plus, by law, all reports made to the above hotline must be followed by a written report to DCFS within five days. This may occur either by entering a follow-up report online or by mailing a written report:

Link to online written reporting: https://mr.dcfsla.gov/c/mr_portalapp.app

By mail, send the *Mandated Reporters Form CPI-2* to the following address: DCFS Centralized Intake, P.O. Box 3318, Baton Rouge, LA 70821

- b. Program Coordinator and/or Program Administrator and/or Campus Admin

Along with reporting to the DCFS and/or local law enforcement, internal reporting of known or suspicion of abuse or neglect of a minor is also required by University policy. See above section G-1 for Internal Reporting Requirements.

Category Two

Reporting suspected minor abuse or neglect BY SOMEONE ELSE other than the parent,

caretaker, or a significant other of the parent or caretaker

Any adult must IMMEDIATELY REPORT suspected abuse or neglect of a minor *by someone else other than* the parent, caretaker, or a significant other of the parent or caretaker to the following:

a. Local Law Enforcement

Contact local law enforcement to make a report. If a campus has a commissioned police force, then the campus police are the local law enforcement for crimes that occur on campus property.

b. Program Coordinator and/or Program Administrator and/or Campus Admin

Along with reporting to the DCFS and/or local law enforcement, internal reporting of known or suspicion of abuse or neglect of a minor is also required by University policy. See above section G-1. for Internal Reporting Requirements.

3. Reporting Other Criminal Activity or Behavior (not involving abuse or neglect of a minor)

Known or suspected criminal activity or behavior should be reported to:

a. Local Law Enforcement

Immediately report all other crimes or reasonably suspected criminal activity directly to campus police or local law enforcement.

b. Program Coordinator and/or Program Administrator and/or Campus Administrator

Along with reporting to the DCFS and/or local law enforcement, internal reporting of other criminal activity or behavior is also required by University policy. See above section G-1 for Internal Reporting Requirements.

4. Reporting Non-Criminal Youth Protection Policy Violations

Internal LSU notification of non-criminal policy violations needs to be made to the Program Coordinator and/or the Program Administrator. See above section G-1. for Internal Reporting Requirements.

5. Self-Reporting

Any person employed or otherwise assisting with a youth program who is subject to any criminal arrest, warrant, charge, booking, citation, conviction, bill of information or plea and/or any contact from or with the Louisiana DCFS regarding a possible violation must self-report same to their Program Coordinator or their Program Administrator or their Campus Administrator within 24 hours of such occurrence.

H. Protection of Data

All information collected by Programs should be maintained as confidential and not shared or released except as necessary for the operation of the Program or the health and safety of the minor. Photographs and video should only be taken for program purposes by program personnel and with the express written consent of the minor’s parent or Authorized Guardian.

I. Non-Compliance Consequences

For LSU Supervised Programs and Non-LSU Programs conducted on LSU property, failing to comply with this policy shall be subject to warning, reprimand, probation, and/or one or more of the following sanctions:

Removal: At the discretion of the Program Administrator, Campus Administrator, or local law enforcement, Minors, adults, and Authorized Adults not meeting LSU community or program conduct standards may be required to leave the campus or other university premises. LSU reserves the right to refuse access to a campus or its premises to anyone, or deny participation in a program involving Minors, at any time for any reason or no reason in order to protect persons or property.

Program Suspension: Until any allegation of inappropriate conduct against a program, minor, or adult associated with a program is satisfactorily resolved, LSU may choose to temporarily discontinue that program and prohibit participation of the persons involved in other programs.

Program Termination: Programs in violation of this policy may be denied permission to continue operation at LSU, including immediate cessation if circumstances warrant.

LSU Sanctions: Any violations of LSU policies by any individual will be dealt with in accordance with applicable LSU policies and procedures, which may include disciplinary actions up to and including termination of employment or contract, being forbidden from entering or remaining on all or any portion of LSU campus or facilities, or suspension or expulsion from LSU pursuant to the applicable Code of Student Conduct.

Criminal Prosecution: Suspected violations of law will be referred to law enforcement authorities and may result in criminal prosecution.

J. Cleary Act

The Clery Act is a federal law also known as the Campus Security Act that requires LSU to keep and disclose information about crime on campus. LSU Police compiles and reports this information on behalf of the University. Members of the LSU community are encouraged to use this report as a guide for safe practices on and off campus. The Annual Security Report also provides useful information on LSU policies that relate to safety on campus. The annual reports can be found on the LSU Police website:

<https://www.lsu.edu/police/crime-information/annual.php> For a paper copy, contact the Louisiana State University Police Department

IV. DEFINITIONS

Authorized Adult

An adult, at least 18 years of age, who is responsible for supervising Minor(s) participating in an LSU Supervised Program and who has complied with University requirements to be recognized as an Authorized Adult for an LSU Program. In order to qualify as an Authorized Adult, an individual must comply with all applicable registration, background check, and training requirements of this policy and any special requirements of the particular LSU Supervised Program.

Authorized Guardian

Person(s) designated in writing by a parent, legal guardian, or having legal custody of a Minor, to act on their behalf.

Campus Administrator

An employee of LSU, at least 21 years of age, designated by the leadership of an LSU campus or institution as the responsible party to monitor compliance with this policy, and to notify University leadership and the Policy Administrator of any violations of this policy. A campus must have a designated Campus Administrator if it operates or authorizes programs involving Minor(s).

Children’s Code

The Children’s Code is the Louisiana law that governs reporting requirements when there is actual or suspected abuse or neglect of a minor. The relevant parts of the Code that cover reporting and relevant definitions can be found in Chapter 5, Title VI, articles 603, 609, and 610.

Department of Children and Family Services (DCFS)

The Department of Children and Family Services (DCFS) is the Louisiana State department whose mission includes protecting children from abuse and neglect. They provide a hotline to report suspected abuse or neglect of a minor: 1-855-4LA-KIDS

Local Authorities

The term “local authorities” as used in PM-16 refers to “local law enforcement.”

Local Law Enforcement

The law enforcement agency with jurisdiction over the place where LSU Supervised Program and Non-LSU Program activities are conducted. The term “local authorities” as used in PM-16 refers to “local law enforcement

LSU Police

The commissioned police department with jurisdiction over a specific campus.

LSU Supervised Program(s)

Any program or activity where LSU assumes the supervision of Minors, in which Minors will be physically present and participating under the supervision of LSU employees or adults acting on LSU’s behalf, wherever such program may occur.

The University operated Laboratory Schools are subject to accreditation and regulation by the Louisiana Department of Education. Similarly, Child Care Centers are licensed by the State of Louisiana and are accredited by the National Association for the Education of Young Children. University operated Laboratory Schools and Child Care Centers are not classified as LSU Supervised Programs subject to this policy;

However, any programs or events held at University Lab Schools, Child Care Centers facilities, or sponsored by

those units, which are not official school activities and where Minors are supervised by their faculty or administrators, are subject to the requirements of this policy.

Mandatory or Mandated Reporter

Any person defined as such in Article 603 of the Louisiana Children’s Code required to report known or suspected abuse or neglect of a child, which includes:

any person who provides or assists in teaching, training and supervision of a child, including any public or private teacher, teacher’s aide, instructional aide, school principal, school staff member, bus driver, coach, professor, technical or vocational instructor/school staff member, college or university administrator/staff member, social worker, probation officer, foster home parent, group home or other licensed child care institutional staff member, personnel of residential home facilities, a licensed or unlicensed day care provider, or any individual who provides such services to a child in a voluntary or professional capacity,” and further includes “health practitioners, mental health and social service practitioners, members of the clergy, teaching or child care providers, police officers or law enforcement officials, commercial film and photographic processors, mediators, CASA volunteers, organizational or youth activity providers and school coaches.

Minor

For the purposes of this policy, a person under the age of eighteen (18) years (except emancipated persons) per the Louisiana Children’s Code (See Source I) and not admitted to LSU as a student as defined by the LSU Code of Student Conduct or legally employed by the University.

Non-LSU Program

A program in which Minors will be physically present and participating using any LSU facilities, property, or areas controlled by LSU, but the program is not hosted, supervised, guided or provided program oversight by LSU.

One-On-One Contact

Personal, secluded, unsupervised interaction with a single Minor without at least one other Authorized Adult or a parent or legal guardian of the Minor also present.

Parent or Guardian

A Minor’s parent, legal guardian, or other person for which a program has written permission on file authorizing them to accept custody and supervision of the Minor and/or act on their behalf.

Policy Administrator

The person designated by the University as the central point of contact for all matters regarding this policy and serves as the conduit to keep University leadership informed on issues involving Minors.

Program Administrator

(A) For each LSU Supervised Program: An individual (e.g. employee, contractor, etc.), at least 21 years of age, designated and recognized by an LSU campus as the person coordinating, planning, implementing, supervising and/or committing the use of LSU facilities, personnel, or other resources for an LSU Supervised Program; or

(B) For each Non-LSU Program: Subject to the approval of the Campus Administrator, an individual (e.g. employee, contractor, etc.), at least 21 years of age, designated by a Non-LSU Program and recognized by an LSU campus as the person coordinating, planning, implementing, supervising a Non-LSU Program and who shall be responsible for ensuring the requirements of this policy are met.

LSU reserves the right to approve or reject any Program Administrator and to remove or replace any Program Administrator of an LSU Supervised Program or a Non-LSU Program at any time.

Program Coordinator

The Program Coordinator is the person responsible for the day-to-day coordinating, planning, and implementing of a specific youth program. The Program Coordinator reports to the Program Administrator. The Program

Coordinator may be an LSU employee responsible for an LSU supervised program or a non-LSU employee responsible for a non-LSU program. The Program Coordinator shall be responsible for ensuring policy compliance for the specific program.

Significant Other

The term “significant other” does not appear in the Louisiana Children’s Code and should not be construed as such. The term “significant other” as used in this version of PM-16 is used merely as signifier to capture the lengthy full description provided in the law, which is: *a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not.*

Supervision

“Supervision” of a minor in the context of this policy means for an adult to assume responsibility for the mental and physical safety and well-being of one or more minor; and, in most instances, the adult has control or oversight of the actions and activities of the minor(s).

Volunteer

A “volunteer” for the purposes of this policy is an individual who offers to perform certain services for a youth program in order to support the activities and mission of the program and/or gain experience. Volunteers are not considered University employees and are not eligible for employee benefits. The individual freely volunteers for no compensation or any other tangible benefit.

The original PM-16 language governs if there are any discrepancies between this document and the policy. Any noted discrepancies should be brought to the attention of the Policy Administrator.